

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

680C0682

HOUSE BILL NO. 1231

Introduced by: Representative Broderick and Senator Munson (David)

1 FOR AN ACT ENTITLED, An Act to increase certain motor vehicle dealer's license fees and
2 to increase the bond to get a dealer's license.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-6B-13 be amended to read as follows:

5 32-6B-13. Upon making initial application for a dealer's license, the applicant shall pay a fee
6 to the department. The initial fee required for each type of dealer's license is as follows:

- 7 (1) Vehicle dealer's license -- ~~\$250~~ \$500;
- 8 (2) Used vehicle dealer's license -- ~~\$250~~ \$500;
- 9 (3) Motorcycle dealer's license -- ~~\$200~~ \$400;
- 10 (4) Trailer dealer's license -- ~~\$75~~ \$150; or
- 11 (5) Emergency vehicle dealer's license -- ~~\$250~~ \$500.

12 All money collected pursuant to this section shall be deposited in the state motor vehicle
13 fund.

14 Section 2. That § 32-6B-15 be amended to read as follows:

15 32-6B-15. A renewal application shall be submitted to the department annually, prior to the
16 expiration of the old license. The applicant shall pay a fee based on the following schedule to the
17 department:

- 1 (1) Vehicle dealer's license -- ~~\$100~~ \$200;
- 2 (2) Used vehicle dealer's license -- ~~\$100~~ \$200;
- 3 (3) Motorcycle dealer's license -- ~~\$75~~ \$150;
- 4 (4) Trailer dealer's license -- ~~\$50~~ \$100; or
- 5 (5) Emergency vehicle dealer's license -- ~~\$100~~ \$200.

6 The renewal application shall contain the same information as required for the initial
7 application in § 32-6B-6. Any application for renewal made after the expiration date shall be
8 accompanied by a fee in the amount of the initial license fee as established in § 32-6B-13.

9 Section 3. That § 32-6C-5 be amended to read as follows:

10 32-6C-5. Upon making initial application for a dealer's license, the applicant shall pay a fee
11 of ~~one~~ two hundred dollars to the department. Each license shall be valid from July first through
12 the following June thirtieth, unless suspended or revoked prior to the expiration date. A renewal
13 application shall be submitted to the department annually, along with a renewal fee of ~~fifty~~ one
14 hundred dollars, prior to the expiration of the old license. ~~Any snowmobile dealer that was~~
15 ~~licensed by the department during the period of July 1, 1985, through the following June 30,~~
16 ~~1986, shall be eligible to renew his license for a fee of fifty dollars during the period of July 1,~~
17 ~~1987, through June 30, 1988.~~ The renewal application shall contain the same information as is
18 required in § 32-6C-3. Any application for renewal made after the expiration date shall be
19 accompanied by a ~~one~~ two hundred dollars initial license fee. Any licensee who does not file ~~his~~
20 an application and renewal fee with the department prior to the expiration date shall cease to
21 engage in business as a dealer on the license expiration date. All money collected pursuant to this
22 section shall be deposited in the state motor vehicle fund.

23 Section 4. That § 32-7A-7 be amended to read as follows:

24 32-7A-7. The license fee for a dealer or manufacturer of mobile homes or manufactured
25 homes is ~~two~~ five hundred ~~fifty~~ dollars and the annual license renewal fee is ~~seventy-five~~ one

1 hundred fifty dollars. An applicant shall pay the license fees to the county treasurer at the time
2 an application for license is made. The license is for the full calendar year, unless it is revoked
3 for cause. The license shall expire at the end of the calendar year.

4 Section 5. That § 32-6B-7 be amended to read as follows:

5 32-6B-7. Before any license is issued, the applicant shall deliver to the department a good
6 and sufficient surety bond, executed by the applicant as principal and by a surety company
7 qualified to do business in the state as surety. The bond shall be for an amount based upon the
8 type of license applied for, as follows:

- 9 (1) Vehicle dealer's license -- ~~\$10,000~~ \$25,000;
- 10 (2) Used vehicle dealer's license -- ~~\$10,000~~ \$25,000;
- 11 (3) Motorcycle dealer's license -- ~~\$2,000~~ \$5,000;
- 12 (4) Trailer dealer's license -- \$10,000 for trailers weighing 2,000 pounds or more; or
- 13 (5) Emergency vehicle dealer's license -- ~~\$10,000~~ \$25,000.

14 The bond shall be to the department and in favor of any customer who suffers any loss that
15 may be occasioned by reason of the failure of title or by reason of any fraudulent
16 misrepresentation or breaches of warranty as to freedom from liens. The bond shall be for the
17 license period,~~and~~ A a new bond or a proper continuation certificate shall be delivered to the
18 department at the beginning of each license period. Any surety company which pays a claim
19 against the bond of a licensee shall notify the department, in writing, that it has paid such a claim.
20 Any surety company which cancels the bond of a licensee shall notify the department, in writing,
21 of such cancellation, giving the reason for that cancellation. If a claim is made to the department
22 against the bond, which claim is based upon a final judgment of a court of record of this state,
23 the dealer shall execute an additional bond for the amount necessary to maintain such security
24 at the original level.